

REMARKS

Reconsideration of the above-referenced application in view of the above amendment, and of the following remarks, is respectfully requested.

Claims 9-18, and 20 are pending in this case. Claims 9 and 13 are amended herein.

The Examiner rejected claim 13 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 13 is amended to overcome the rejection.

The Examiner rejected claims 9-12, 15, 18 and 20 under 35 U.S.C. 102(e) as being anticipated by Kent (U.S. Patent 6,130,016).

Applicant respectfully submits that amended claim 9 is unanticipated by Kent as there is no disclosure or suggestion in Kent of providing a reticle layer including a patterned feature area corresponding to a desired circuitry pattern and a test pattern area, patterning a resist material by stepping the reticle, the patterning including each of the patterned feature area and test pattern area incorporated in the reticle layer; and using the resist material as patterned by the reticle to form the feature of a semiconductor device.

Kent discloses the use of a separate calibration reticle in addition to a semiconductor structure reticle. While the calibration reticle includes patterns designed to mimic a pitch value of the semiconductor structure reticle, the semiconductor structure is formed using the semiconductor structure reticle rather than the calibration reticle. In contrast, the claimed invention requires that a reticle include both pattern feature area and a test pattern area and that same reticle be used to form the

semiconductor device feature. This is not disclosed or suggested by Kent. Accordingly, Applicant respectfully submits that claim 9 and the claims dependent thereon are unanticipated by Kent.

Applicant respectfully submits that claim 18 and the claims dependent thereon are similarly unanticipated by Kent.

The Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Kent (U.S. Patent 6,130,016), as applied to claim 12 above, in view of Ausschnitt et al. (U.S. Patent 5,914,784).

Applicant respectfully submits that claim 13 is patentable over Kent in view of Ausschnitt for the same reasons discussed above relative to claim 9 from which claim 13 ultimately depends.

The Examiner rejected claim 16-17 under 35 U.S.C. § 103(a) as being unpatentable over Kent (U.S. Patent 6,130,016), as applied to claims 9-12 above, in view of Ausschnitt et al. (U.S. Patent 5,914,784).

Applicant respectfully submits that claims 16-17 are patentable over Kent in view of Ausschnitt for the same reasons discussed above relative to claim 9 from which claim 16 and 17 ultimately depend.

The Examiner rejected claim 14 under 35 U.S.C. 103(a) as being unpatentable over Kent (U.S. Patent 6,130,016), as applied to claim 9 above, in view of Asano et al. (U.S. Patent 6,741,334).

Applicant respectfully submits that claim 14 is patentable over Kent in view of Asano for the same reasons discussed above relative to claim 9 from which claim 14 depends.

The other references cited by the Examiner have been reviewed, but are not felt to come within the scope of the claims as amended.

In light of the above, Applicant respectfully requests withdrawal of the Examiner's rejections and allowance of claims 9-18 and 20. If the Examiner has any questions or other correspondence regarding this application, Applicant requests that the Examiner contact Applicant's attorney at the below listed telephone number and address.

Respectfully submitted,

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